



Zoning Change Proposals For the Meeting of January 14, 2010

Town of Weare Zoning Ordinance change proposals for the 2010 warrant. The **final** public hearing will take place on January 14, 2010.

Proposed additions are in ***bold italics***; proposed deletions are ~~stricken through~~.

Are you in favor of the adoption of [Amendment No. 2](#), as proposed by the Planning Board for the Town Zoning Ordinance as follows: to amend Article 15.1.2 as follows:

All ***developments of*** residential subdivisions, condominiums and multi-family housing of 4 dwelling units or greater shall be subject to phasing in accordance with TABLE 1-2 below:

Total Dwellings <i>Units</i>	<i>Maximum Annual</i> Building Permits
<i>4</i>	<i>2 per year</i>
4 to 10 <i>5 to 10</i>	5 <i>4</i> per year
11 to 18	6 <i>5</i> per year
19 to 28	7 <i>6</i> per year
29 to 40	8 <i>7</i> per year
41 to 54	9 <i>8</i> per year
55 or more	10 <i>9</i> per year

TABLE 1-2 FOR RESIDENTIAL DEVELOPMENT PHASING:

The table illustrates the maximum number of available building permits ***approved under this article*** per development ***subdivision during any 12 month period.*** ~~per calendar year approved under this article.~~ Surplus permits in any given year shall not be added onto the number of permits available in the following year.

PURPOSE:

The purpose of this amendment is to slightly change the current phasing table on any new proposed subdivisions to allow the Town to time the developments.

Are you in favor of the adoption of [Amendment No. 3](#), as proposed by the Planning Board for the Town Zoning Ordinance as follows: to amend Article 3.12.1 to further define “active and substantial development” by amending the article as follows:

- 3.12.1 *For the purpose of determining the minimum amount of work required in order to satisfy the provisions of RSA 674:39 pertaining to protection from subsequent amendments to local land use regulations, “active and substantial development and building” means:*
- (1) the construction of one or more subdivision roads or a portion thereof approved by the Planning Board, on a subdivision plan, including any required pavement sufficient to cause eligibility for certificates of occupancy for structures on abutting lots; the completion of drainage improvements, including erosion control measures, in accordance with the approved plans; and*
 - (2) the continued compliance with the public health regulations and ordinances of the Town*

~~3.12.1 In approving any application, the Planning Board shall specify the threshold level of work which constitutes “active and substantial development and building” for the purpose of determining the minimum amount of work required in order to satisfy the provisions of RSA 674:39 pertaining to protection from subsequent amendments to local land use regulations for a period of four (4) years. (Added 3/11/08)~~

PURPOSE:

The purpose of this amendment is to set a standard in the ordinance so that applicants are aware of the requirements for vesting and so that all applicants are treated equitably and equally.

Are you in favor of the adoption of [Amendment No. 4](#), as proposed by the Planning Board for the Town Zoning Ordinance as follows: to amend Article 27.3.7 as follows:

- 27.3.7 All parking within the cluster development shall be provided in **paved** off-street locations at a ratio of not less than two (2) spaces per dwelling unit

PURPOSE:

The purpose of this amendment is to remove the mandatory paved off-street parking in cluster developments and allow the homeowner to have an unpaved parking area if they so choose.

Are you in favor of the adoption of [Amendment No. 5](#), as presented by petition for the Town of Weare Zoning Ordinance as follows: In an effort to broaden the commercial tax base in Town, we the undersigned registered voters, pursuant to NH RSA 675:4, hereby petition the Town of Weare, NH to place the following Zoning Amendment on the 2010 Town warrant for voter

consideration; Amend Article 24 to add that; The installation and operation of an Asphalt Batch plant shall be allowed as an accessory use of a permitted or grandfathered gravel pit operation. As an accessory use the size shall be limited to 25% of the annual volume (tons or yards) of the total retail sales volume of the Asphalt Plant and Gravel pit combined; provided however that no part of the plant be located within 500' of any residentially zoned abutter's lot line within the Town of Weare. (By petition)